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*Attorneys for Defendant Vincent Cuomo*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ABRAHAM ELLIOTT,  
JOSEPH KRIEGER, AND  
VINCENT CUOMO,

Defendants.

Case No. 2:21-cr-00190-APG-EJY

**Stipulation to Continue Pre-Trial Motion  
Deadline**

IT IS HEREBY STIPULATED AND AGREED by and between Assistant United States Attorney Christopher Burton, and Crane Pomerantz., counsel for Defendant Vincent Cuomo, Emily K. Strand, counsel for Abraham Elliott, and Lucas Gaffney, Counsel for Joseph Krieger, that the pre-trial motion deadline in this case, currently scheduled for December 12, 2021, be continued for ninety (90) days.

This Stipulation is entered into for the following reasons:

1. Counsel for Mr. Cuomo was appointed to represent Mr. Cuomo on October 18, 2021. ECF No. 74. The focus of the representation, at the beginning, was on moving the Court for Mr. Cuomo's release pending trial. A motion to this effect was filed, argued, and granted on December 6, 2021. ECF No. 93.

2. While this has not been deemed a complex case for Speedy Trial Act purposes, the discovery is voluminous, including recordings. Additional time is needed to review the discovery

1 which has been made available by the government. Until the discovery can be reviewed,  
2 undersigned counsel cannot fairly determine if and/or which pre-trial motions should be filed. The  
3 current pre-trial motion deadline is December 12, 2021, giving undersigned counsel insufficient  
4 time to make that evaluation.

5 3. Defendants Elliott, Krieger, and Cuomo are not in custody and they do not oppose  
6 the continuance sought.

7 4. At this juncture, none of the Defendants are seeking a continuance of the trial, which  
8 is set for June 6, 2022. ECF No. 70.

9 5. The additional time requested herein is not sought for purposes of delay and the  
10 denial of this request for a continuance could result in a miscarriage of justice. The ends of justice  
11 would be best served by granting a continuance of the pre-trial motion deadline.

12  
13 CHRISTOPHER CHIOU  
14 UNITED STATES ATTORNEY (ACTING)  
DISTRICT OF NEVADA

CLARK HILL PLLC

15 DATED this 13<sup>th</sup> day of December 2021.

DATED this 13<sup>th</sup> day of December 2021.

16 /s/ Chris Burton  
17 CHRISTOPHER BURTON  
Assistant United States Attorney

/s/ Crane Pomerantz  
CRANE M. POMERANTZ

18 Attorneys for Plaintiff

Attorney for Defendant Cuomo

19  
20  
21 EMILY K. STRAND  
PITARO & FUMO, CHTD.

GAFFNEY LAW

22 DATED this 13<sup>th</sup> day of December, 2021.

DATED this 13<sup>th</sup> day of December, 2021.

23 /s/ Emily K. Strand  
24 EMILY K. STRAND, ESQ.

/s/ Lucas Gaffney  
LUCAS J. GAFFNEY, ESQ.

25 Attorney for Defendant Elliott

Attorney for Defendant Krieger

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Defendants.

Case No. 2:21-cr-00190-APG-EJY

**FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

**CONCLUSIONS OF LAW**

Based on the fact that counsel has agreed to a continuance, the Court hereby concludes that:

1. Mr. Pomerantz was appointed to represent Mr. Cuomo on October 18, 2021. ECF No. 74. The focus of the representation, at the beginning, was on moving the Court for Mr. Cuomo's release pending trial. A motion to this effect was filed, argued, and granted on December 6, 2021. ECF No. 93.

2. While this has not been deemed a complex case for Speedy Trial Act purposes, the discovery is voluminous, including recordings. Additional time is needed to review the discovery which has been made available by the government. Until the discovery can be reviewed, undersigned counsel cannot fairly determine if and/or which pre-trial motions should be filed. The current pre-trial motion deadline is December 12, 2021, giving undersigned counsel insufficient time to make that evaluation.

3. Defendants Elliott, Krieger, and Cuomo are not in custody and they do not oppose the continuance sought.

4. At this juncture, none of the Defendants are seeking a continuance of the trial, which is set for June 6, 2022. ECF No. 70.

## ORDER

**DATED** this 14th day of December 2021.